

REMARKS

This Amendment is in response to the Office Action mailed August 23, 2007. With this Amendment claims 1, 13, 23, 25, 30 and 31 are amended and the remaining claims are unchanged. Reconsideration and withdrawal of the rejections are respectfully requested in view of the following remarks.

1. Amendments to the Claims

Claims 1, 13, 23, 25, 30 and 31 are amended. These claims are amended to enhance the readability of these claims and/or correct typographical errors in the claims. Support for these amendment scan be found in the original specification. No new matter is presented. Entry is respectfully requested.

2. Objections under §112

In item 1 of the Office Action the Examiner objected to claims 1 and 30 under 35 U.S.C. § 112 as being unclear. Specifically, the Examiner indicated that the term “device” as used in these claims was unclear, because one cannot tell what device is being referred to. In response, claims 1 and 30 have been amended to enhance the clarity of the language. Additionally, these claims have been amended to correct typographical errors that were identified during a review of the claims. No new matter is presented. Therefore, it is respectfully submitted that these claims are clear. Reconsideration and withdrawal of the objection are respectfully requested.

3. Rejections under §102

In item 4 of the Office Action the Examiner rejected claims 1-6, 8-12 and 25-31 under 35 U.S.C. §102 (b) as being anticipated by Hines, U.S. Patent No. 6,392,758 (hereinafter “Hines”). The Applicant has reviewed the Hines reference and must respectfully disagree.

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a. Claims 1-6, 8-12 and 30

Claim 1, as amended, recites “acknowledging, at the rendering device, the initial request and requesting rendering data to be sent.” Claim 1 further recites “in response to the request for rendering data, sending rendering data and awaiting additional requests” The Office Action asserted this was disclosed at column 8 lines 32-38, 45-48 and column 2 lines 51-53. Claim 30 recites similar limitations. In other words in the method of claim 1 the requests for rendering data are generated at the rendering device and these requests are sent back to the client device. In contrast, Hines does not generate a request for rendering data at the rendering device. Hines relies on the prior art approach of estimating the capabilities of the rendering device and sending rendering data to the rendering device based on these estimations. See e.g. column 10 lines 65-66. As Hines does not generate any request for rendering data at the rendering device, it cannot anticipate claim 1. Thus, claim 1 is believed allowable. Claim 30 is believed allowable as well for similar reasons. Furthermore, dependent claims 2-6 and 8-12 are believed allowable as well, at least, based on their dependency either directly or indirectly from independent claim 1. Reconsideration and withdrawal of the rejection are respectfully requested.

b. Claims 25-29

Claim 25, as amended, recites “...in response the request for print data from the printer....” The Office Action asserted that this was disclosed at column 8 lines 32-38 of the Hines reference. However, as discussed above, the printer in Hines does not request anything let alone print data from the client. In fact the Hines reference is a push type system that “waits an appropriate amount of time before sending the print data to the printer.” See Hines column 10 lines 65-66. As the printer in Hines does not request data from the client it is respectfully submitted that claim 25 is not anticipated by the Hines reference. Furthermore, dependent claims 26-29 are believed allowable as well, at least by virtue of their dependency either directly or indirectly from claim 25. Reconsideration and withdrawal of the rejection are respectfully requested.

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c. Claim 31

Claim 31, as amended, recites “sending an initial request for services related to a job to said printer... receiving, at the client, an acknowledgement of the initial request and a request for rendering data....” The Office Action asserted that this was disclosed at column 8 lines 32-38 of the Hines reference. However, as discussed above with respect to claim 1, Hines does not disclose the printer requesting anything from the client. The client in Hines cannot receive a request for rendering data from the printer as the Hines reference “waits an appropriate amount of time before sending the print data to the printer.” See Hines column 10 lines 65-66. Thus, it is respectfully submitted that the Hines reference does not anticipate claim 31. Therefore, claim 31 is believed allowable over Hines. Reconsideration and withdrawal of the rejection are respectfully requested.

4. Rejections under §103

a. Claim 7

In item 6 of the Office Action claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hines in view of Maruyama, U.S. Patent No. 7,227,660 (hereinafter “Maruyama”). The Applicant respectfully disagrees.

Claim 7 is a dependent claim that depends from independent claim 1. The Office Action asserted that Hines disclosed all of the features of claim 7 with the exception of retransmission of data that was previous discarded during the rendering of the job for subsequent use in rendering. See Office Action page 10. As discussed above, the Hines reference does not disclose all of the features of independent claim 1. The addition of the Maruyama reference does not correct the deficiencies identified in claim 1. Therefore, the combination of Hines and Maruyama does not disclose all of the features of independent claim 1. Thus, it is respectfully submitted that the combination cannot

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disclose all of the features of dependent claim 7. Reconsideration and withdrawal of the rejection are respectfully requested.

b. Claims 13-24

In item 5 (page 11) of the Office Action claims 13-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hines in view of Perkins and Harjono, “Resource Discover Protocol for Mobile Computing” (hereinafter “Perkins and Harjono”). The Applicant has reviewed the references must respectfully disagree.

Claim 13 recites “submitting a data request for document data at the source address; said data request identifying a resource in the document to retrieve, and an amount of resource data to retrieve....” The Examiner asserted that Hines disclosed all of the features of claim 13 with the exception of “a unique source identifier for the job, a source addressfor use by the client to subsequently identify the print job on the printer.” See Office Action page 12. The Examiner asserted that Perkins and Harjono disclosed this feature. However, in the method of claim 13 the printer submits the data request for document data. In contrast the Hines reference, as discussed above with respect to the §102 rejections, does not disclose that the printer requests or submits a data request to the client. The addition of Perkins and Harjono does not remedy this deficiency, nor has the Examiner asserted so. Therefore, it is respectfully submitted that the combination of Hines and “Perkins and Harjono” does not teach or suggest in its entirety the features of independent claim 13. Thus claim 13 is believed allowable. Furthermore, dependent claims 14-24 are believed allowable as well, at least, by virtue of their dependency either directly or indirectly from allowable independent claim 13. Reconsideration and withdrawal of the rejection are respectfully requested.

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5. CONCLUSION

Accordingly, in view of the above amendment and remarks it is submitted that the present claims are patentably distinct over the prior art of record and that all the rejections to the claims have been overcome. Based on the foregoing, Applicants respectfully requests that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. Reconsideration and of the pending claims is respectfully requested.

If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

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If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,
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Date: 12/20/2007

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